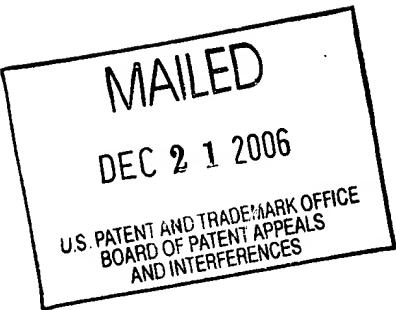


UNITED STATES PATENT AND TRADEMARK OFFICE



BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte JOSEPH WAYNE FORLER and
PATRICK JOHN KENNEDY DEIGHAN

Application 09/758,480

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on November 30, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

An Information Disclosure Statement (IDS) was filed December 4, 2006. It is not apparent from the record that the examiner considered the statement submitted or notified applicants of why their submission did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98.

Application 09/758,480

Accordingly, it is

ORDERED that the application is being electronically returned to the Examiner for consideration of the Information Disclosure Statement, and for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: GP Edgell for Dale Shaw
DALE M. SHAW
Deputy Chief Appeals Administrator
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